

PTO/SB/96 (08-00)

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U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/934,283 Filed/Issued Date: August 21, 2001Entitled: Stepped EtalonAgere Systems Inc. corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

1. ☒ [X] the assignee of the entire right, title, and interest; or
2. ☐ [] an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ [X] A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

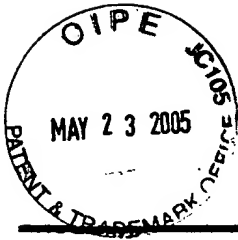
1. From Inventor(s) To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 9976, Frame 0330, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From Agere Systems Guardian Corp. To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ [] Additional documents in the chain of title are listed on a supplemental sheet.☒ [X] Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/23/2005
DateWendy W. Koba
Typed or printed nameWendy W. Koba
SignatureCorporate Counsel
Title



EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent.

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 

Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

By: 

Fred M. Romano
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)

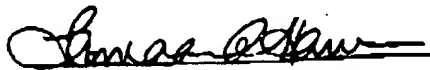
: ss:

COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

TAMORA ANNE HANNA

Notary Public

Notary Public of New Jersey

My Commission Expires ~~Registered in Hunterdon County~~

[Notarial Seal]

My Commission Expires March 25, 2002

STATE OF FLORIDA)

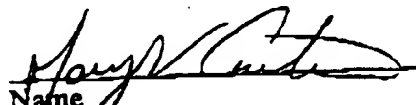
: ss:

COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

Notary Public

My Commission Expires:

[Notarial Seal]



CERTIFICATE OF OWNERSHIP AND MERGER

OF

**Agere Systems Guardian Corp.
(a Delaware corporation)**

INTO

**Agere Systems Inc.
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

APPENDIX B (continued)
Transferred Parents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Nanda 15-1	5/19/1998	5/2/2000	6056630	
Nanda 18-4	7/24/1998		09/122276	
Narahari 2-37	5/15/2000			60/204327
Navitsky 1-13	1/22/1999			09/235975
Nelson 15	7/29/1998		09/124431	
Nelson 16	12/8/1998	4/4/2000	6046647	09/207307
Nelson 19-2	6/28/1999			09/340439
Nelson 21-1	2/15/2000			09/504515
Nelson 22-2	5/1/2000			09/562305
Newton 1	8/8/1997		08/907456	
Newton 4-1	10/1/1998			09/164592
Newton 6	9/9/1999			09/392616
Newton 8	10/5/1999			09/413203
Nguyen 1-8-5	10/27/1999			09/427961
Nguyen 2-8	9/24/1999			09/405205
Nguyen 4-5-8	7/15/1998		09/115693	
Nicol 12	2/16/1999			09/250126
Nicol 14	11/2/1999			09/431851
Nicol 7	2/19/1998	5/16/2000	6065032	
Nicol 8-4	8/3/1998		08/128030	
Niescier 7	8/27/1998		09/141510	
Novakov 1	1/8/2000			09/479291
Novakov 2	5/8/2000			09/567423
Novakov 3	2/29/2000			09/515224
Obeng 16-8	12/5/1996	7/4/2000	6083810	
Obeng 17-5-1	1/27/1998		09/013726	
Obeng 18-4	1/22/1998		09/012130	
Obeng 20-1	6/13/1998		09/096998	
Obeng 23	1/15/1999			09/232120
Obeng 26-5	4/8/1999	4/11/2000	6048256	09/286869
Obeng 31	2/28/2000			09/514832
Obeng 4-28	6/29/1999			09/342845
Obeng 8	11/16/1994		08/340679	
Obeng 7-35	2/25/2000			09/513390
O'Brien 1	5/14/1999			09/312386
O'Connor 12	2/10/1999	10/12/99	5966317	
O'Connor 13	9/28/1998		09/161626	
Offord 6	1/28/1999			09/238793
Olasupo 5	1/10/1992		07/821275	
Olmer 11	9/30/1999			09/408707
Olmer 14	8/25/1999			09/383006
O'Neill 12	6/5/2000			09/587397
O'Neill 9	2/26/1998		09/031010	
Optimay-2	12/12/1996	5/16/2000	6064660	
Optimay-3	3/11/1997	7/11/2000	6088343	
Ordonez 1-1-9	10/8/1999			09/413681
ORTEL 29	9/2/1999			60/152494
Ougazzaden 1-10-1	12/7/1999			09/455987
Ovalekar 1-12	2/16/1999			09/250744
Ovalekar 2-13	5/19/1999			09/314834
Ovalekar 3	10/1/1999			09/411156
Pai 18-36	12/4/1998			09/205840
Pant 1-4	6/30/1998	7/18/2000	09/107481	6091271
Papadopoulos 6-43	7/28/1999			09/362433
Parson 1	5/31/1997	4/25/2000	6053947	
Parson 3-2-1-4	5/30/2000			09/583057
Patel 10-1	9/1/1999			09/388166
Patel 12	5/28/1998		09/087297	6111437
Patino 1-1-11	9/30/1999			09/409121
Pearce 13	10/1/1997		08/941906	